

PTO/SB/81 (04-05)

Approved for use through 11/30/2006, OMB 0651-0035

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**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	10/081,728
Filing Date	February 21, 2002
First Named Inventor	Michael Thelander
Title	MONITORING AND SYNCHRONIZATION OF POWER USE OF COMPUTERS IN A NETWORK
Art Unit	
Examiner Name	
Attorney Docket Number	61248-9

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒ Practitioners associated with the Customer Number:

22504

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number

OR

☒ The address associated with Customer Number:

22504

OR

☐ Firm or
Individual Name

Address

City

State

ZIP

Country

Telephone

Email

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Signature

Kevin J. Klustner

Date

August 8, 2006

Name

Kevin Klustner

Telephone

206-838-2806

Title and Company

Chief Executive Officer, Verdiem Corporation

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ *Total of forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

AUG 16 2006

PTO/SB/96 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Michael Thelander et al.Application No./Patent No.: 10/081,728Filed/Issue Date: February 21, 2002Entitled: MONITORING AND SYNCHRONIZATION OF POWER USE OF COMPUTERS IN A NETWORKVerdiem Corporation

a

corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest

The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: EZConserve, Inc.To: Verdiem Corporation

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: Michael Thelander et al.To: EZConserve, Inc.The document was recorded in the United States Patent and Trademark Office at Reel 012863, Frame 0965, or for which a copy thereof is attached.

3. From: _____

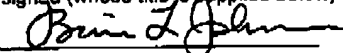
To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☒ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., a true copy of the original document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

August 16, 2006

Date

Brian L. Johnson

Printed or Typed Name

(206) 628-7670

Telephone Number

Attorney for Verdiem Corporation

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-6199 and select option 2.

ASSIGNMENT

WHEREAS, We, Michael Thelander, a citizen of the United States, having a mailing address of 1009 W. Powell Blvd., Gresham, Oregon 97030, Peter Carbon, a citizen of Canada, having a mailing address of 16259 N.W. Norwich Court, Beaverton, Oregon 97006, and Cindy Tatham, a citizen of the United States, having a mailing address of P.O. Box 902, North Plains, Oregon 97133, have invented certain new and useful improvements in "MONITORING AND SYNCHRONIZATION OF POWER USE OF COMPUTERS IN A NETWORK," for which an application for Letters Patent of the United States was filed on February 21, 2002 under Serial No. 10/081,728 and

WHEREAS, EZConserve, Inc., a corporation duly organized under the laws of the State of Oregon, having a place of business at 10300 S.W. Greenburg Road, Suite 108, Tigard, Oregon 97223, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention and in and to any Letters Patent of the United States or any foreign country which may be granted therefor;

NOW THEREFORE, for good and valuable consideration, we, the said Michael Thelander, Peter Carbon, and Cindy Tatham, do sell, assign, and transfer unto EZConserve, Inc., its successors, legal representatives and assigns, the full and exclusive right to the said invention as described in the said application, and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries and in and to any and all divisions, reissues, continuations and extensions thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks or any other proper officer or agency of any country to issue all said Letters Patent to said assignee;

AND WE HEREBY warrant and covenant that we have full right to convey the entire interest herein assigned and that we have not executed and will not execute any instrument or assignment in conflict herewith;

AND WE HEREBY agree to communicate to said assignee or its representatives any facts known to us respecting said invention, to execute all divisional, continuation, reissue and foreign applications, sign all lawful documents and make all rightful oaths relating to said invention, and to testify in any judicial or administrative proceeding and generally do everything possible to aid the said assignee to obtain and enforce said Letters Patent in the United States or any foreign country when requested so to do by said assignee.

IN WITNESS WHEREOF, we have hereunto set our hand and seal.

Dated: 4/22/02

Inventor: Michael Thelander
Michael Thelander

Dated: 4/22/02

Inventor: Peter Carbon
Peter Carbon

Dated: 4/22/02

Inventor: Cindy Tatham
Cindy Tatham

08/24/2003 TUE 10:22 FAX

002/018



Phone: (503) 986-2200
Fax: (503) 378-4391

Secretary of State
Corporation Division
255 Capitol St. NE, Suite 181
Salem, OR 97310-1327

Restated Articles of Incorporation—Business/Professional/Nonprofit

Check the appropriate box below:

- ☒ BUSINESS/PROFESSIONAL CORPORATION
(Complete only 1, 2, 3, 4, 6, 7)
- ☐ NONPROFIT CORPORATION
(Complete only 1, 2, 3, 5, 6, 7)

For office use only

FILED

JUN 24 2003

OREGON
SECRETARY OF STATE

Registry Number: 004353-99

Attach Additional Sheet if Necessary
Please Type or Print Legibly in Black Ink

- 1) NAME OF CORPORATION PRIOR TO AMENDMENT EZConserve, Inc.
- 2) NEW NAME OF THE CORPORATION (if changed) Vardien Corporation
- 3) A COPY OF THE RESTATED ARTICLES MUST BE ATTACHED

BUSINESS/PROFESSIONAL CORPORATION ONLY

4) CHECK THE APPROPRIATE STATEMENT

- ☒ The restated articles contain amendments which do not require shareholder approval. The date of the adoption of the amendments and restated articles was 06/17/03. These amendments were duly adopted by the board of directors.
- ☒ The restated articles contain amendments which require shareholder approval. The date of the adoption of the amendments and restated articles was 06/04/03. The vote of the shareholders was as follows:

Class or series of shares	Number of shares outstanding	Number of votes entitled to be cast	Number of votes cast FOR	Number of votes cast AGAINST
Series B & Common, voting on a single class	12,371,000	12,371,000	12,351,000	0

- ☐ The corporation has not issued any shares of stock. Shareholder action was not required to adopt the restated articles. The restated articles were adopted by the incorporators or by the board of directors.

NONPROFIT CORPORATION ONLY

5) CHECK THE APPROPRIATE STATEMENT

- ☐ The restated articles contain amendments which do not require membership approval. The date of the adoption of the amendments and restated articles was _____. These amendments were duly adopted by the board of directors.
- ☐ The restated articles contain amendments which require membership approval. The date of the adoption of the amendments and restated articles was _____. The vote of the members was as follows:

Class(es) of vote	Number of members entitled to vote	Number of votes entitled to be cast	Number of votes cast FOR	Number of votes cast AGAINST

6) Execution

Printed Name

Steven L. Sperry

Signature

Title

President

7) CONTACT NAME

Sarah English Tume, Davis Wright Tremaine LLP

DAYTIME PHONE NUMBER — INCLUDING AREA CODE

206.628.7651

FEES

Make check for \$50 payable to
"Corporation Division."

NOTE: Fees may be paid
with VISA or MasterCard. The
card number and expiration date
should be submitted on a separate
sheet for your protection.

CR114 (Rev. 06/01)